



## TOWNSHIP OF NORTH HURON

## REPORT

Item No.

**REPORT TO:** Reeve Vincent and Members of Council  
**PREPARED BY:** Kirk Livingston, Drainage Superintendent  
**DATE:** 13/06/2018  
**SUBJECT:** Rintoul Municipal Drain  
**ATTACHMENTS:** None

---

### **RECOMMENDATION:**

THAT the Council of the Township of North Huron hereby appoint Dietrich Engineering Ltd. to prepare a report to fulfil the requirements under Section 78 of the Drainage Act as requested by Gerrit and Maria Groen, land owners of Concession 12, Pt S Pt Lot 28 Pt Lot 29 through submission of a Request for Drain Improvement.

### **EXECUTIVE SUMMARY**

On March 27, 2018, the Clerk for the Township of North Huron received a Notice of Request for Drain Improvements to the Rintoul Municipal Drain, branches K, F & I. North Huron Council received the request at their regular Council meeting on April 16, 2018 and instructed the Clerk for the Township of North Huron to notify Maitland Valley Conservation Authority, OMAFRA and the party requesting the improvement in accordance with Section 78 (2) of the Drainage Act.

For reference purposes, below is the excerpt of Section 78 of the Drainage Act.

#### ***Improving, upon examination and report of engineer***

**78(1)** If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the **council** of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an **engineer** appointed by it and without the petition required by section 4.

#### ***Projects***

**78(1.1)** The projects referred to in subsection (1) are:

1. Changing the course of the drainage works.
2. Making a new outlet for the whole or any part of the drainage works.
3. Constructing a tile drain under the bed of the whole or any part of the drainage works.
4. Constructing, reconstructing or extending embankments, walls, dykes, dams, reservoirs, bridges, pumping stations or other protective works in connection with the drainage works.
5. Otherwise improving, extending to an outlet or altering the drainage works.
6. Covering all or part of the drainage works.
7. Consolidating two or more drainage works.

#### ***Notice to conservation authority***

**78(2)** An **engineer** shall not be appointed under subsection (1) until thirty days after a notice advising of the proposed drainage works has been sent to the **secretary-treasurer** of each **conservation authority** that has jurisdiction over any of the lands that would be affected. R.S.O. 1990, c. D.17, s. 78 (2); 2010, c. 16, Sched. 1, s. 2 (28).

***Powers and duties of engineer***

**78(3)** The **engineer** has all the powers and shall perform all the duties of an **engineer** appointed with respect to the construction of a drainage works under this Act.

***Proceedings***

**78(4)** All proceedings, including appeals, under this section shall be the same as on a report for the construction of a drainage works. R.S.O. 1990, c. D.17, s. 78.

**DISCUSSION**

The request submitted is for drain improvement and drain upgrades. The capacity of the older closed drain is insufficient due to farm land being tile drained, due to age the tile is weakening and blow outs are occurring. Resizing the drain or twining the drain will be looked at for options.

**FINANCIAL IMPACT**

In accordance with the Drainage Act, 1/3 grant from OMAFRA will be provided to lands assessed as farm tax class. The remainder of the project will be assessed in accordance with the schedule of assessment in accordance with the Drainage Act and Rintoul Municipal Drain Report. Huron County Roads will also be affected by the works.

**FUTURE CONSIDERATIONS**

Any further future costs to the Rintoul Municipal Drain, branches K, F & I will be in accordance to the schedules of the Rintoul Municipal Drain Report

**RELATIONSHIP TO STRATEGIC PLAN**

Goal #2 Our residents are engaged and well informed.

Goal #4 Our municipality is fiscally responsible and strives for operational excellence.



---

Kirk Livingston, Drainage Superintendent.



---

Dwayne Evans, CAO